

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|            |                                     |                   |                   |
|------------|-------------------------------------|-------------------|-------------------|
| Art Unit   | : 1793                              | Customer No.:     | 035811            |
| Examiner   | : Patricia L. Hailey                |                   |                   |
| Serial No. | : 10/550,902                        |                   |                   |
| Filed      | : September 28, 2005                |                   |                   |
| Inventors  | : Shyusei Ohya                      | Docket No.:       | SPL-05-1361       |
|            | : Yuuichi Fujii                     |                   |                   |
|            | : Makoto Matsuo                     | Confirmation No.: | 4296              |
|            | : Jun Takagi                        |                   |                   |
| Title      | : METAL-SUPPORTED POROUS CARBON     | Not. Of Allow.:   | 08/26/08          |
|            | : FILM, FUEL CELL ELECTRODE AND     | Dated:            | November 18, 2008 |
|            | : FUEL CELL EMPLOYING THE ELECTRODE |                   |                   |

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**TRANSMITTAL LETTER**

**Mail Stop Issue Fee**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith Form PTOL-85B.

The Commissioner is authorized to charge the \$1810.00 fee to Deposit Account No. 50-2719 to cover the fee for payment of the issue fee and the publication fee.

Also, the Applicants submit herewith the Supplemental Declaration duly executed by the inventors and request that it be officially entered in the file of the case.

The Commissioner is also authorized to charge any fees or insufficiency to Deposit Account No. 50-2719.

Respectfully submitted,



T. Daniel Christenbury  
Reg. No. 31,750

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**SUPPLEMENTAL DECLARATION FOR AMENDMENT PRESENTING  
CLAIMS FOR MATTER DISCLOSED BUT NOT ORIGINALLY CLAIMED**

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We, Shyusei Ohya, Yuuichi Fujii, Makoto Matsuo and Jun Takagi as inventors named in the application for letters patent for an improvement in METAL-SUPPORTED POROUS CARBON FILM, FUEL CELL ELECTRODE AND FUEL CELL EMPLOYING THE ELECTRODE, Serial No. 10/550,902, filed in the United States Patent and Trademark Office on about the 28th day of September 2005, hereby declare that the subject matter of all amendments was part of our invention and was invented before the filing of the original application, above-identified, for such invention.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

☐ In compliance with this duty there is attached an information disclosure statement. 37 C.F.R. §1.97.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Shyusei Ohya  
Shyusei Ohya Date  
on October 20, 2008

Makoto Matsuo  
Makoto Matsuo Date  
on October 20, 2008

Yuuichi Fujii  
Yuuichi Fujii Date  
on October 20, 2008

Jun Takagi  
Jun Takagi Date  
on October 20, 2008